**UNITED STATES BANKRUPTCY COURT**
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|---|---|---|
| In re | : | Chapter 13 |
| | : | |
| PATRICIA A. DAILEY, | : | Bankruptcy No. 04-35786DWS |
| | : | |
| Debtor. | : | |

# ORDER

**AND NOW**, this 22nd day of April 2005, this court having held a hearing in connection with the Motion for Relief from Stay filed by Wachovia Bank, N.A. as trustee;

**And** the debtor appearing and advising the Court that (1) she responded to a yellow page ad of "Bankruptcy Services" and engaged the services of Myra Williams ("Williams") to assist her in filing a bankruptcy case, paying her $853, inclusive of the filing fee; (2) Williams advised her that she did not have to pay her mortgage currently until "the case was settled" and accordingly she made no current payments to movant resulting in the filing of the Motion for Relief from Stay; (3) efforts to reach Williams were unsuccessful as her phone is disconnected;

**And** the Court noting the pending adversary complaint against Williams and Bankruptcy Services seeking injunctive relief and disgorgement of compensation in connection with similar conduct as to three other debtors in this court;

**And** Williams signing the petition as a petition preparer but not preparing for Debtor the Statement of Pro Se Debtor to disclose her role and the fee she charged;

**And** Bankruptcy Judge Stephen Raslavich having entered an order permanently enjoining Williams from acting as petition preparer in this Court without written express permission, an order that appears to have been flagrantly ignored in this case;

It is hereby **ORDERED** that:

1. In the absence of a written request for a hearing made by **May 2, 2005**, Williams shall disgorge all funds that she received from Debtor, i.e., $863, by **May 5, 2005**. If a written request is made, a hearing shall be held on **May 5, 2005** in the Robert N.C. Nix, Sr. Federal Courthouse, 2nd floor, 900 Market Street, Courtroom #3, Philadelphia, PA and Williams shall appear. A copy of the request shall be sent to Debtor and George Conway, Esq. of the U.S. Trustee's Office so they may appear. Failure to appear shall result in a disgorgement order.

2. As the conduct at issue replicates that alleged in Misc. No. 05-3003, the Court will transcribe the record of the April 19, 2005 hearing and refer the matter to the U.S. trustee for further action as she may view is appropriate.

Diane W. Sigmund

DIANE WEISS SIGMUND
Chief U.S. Bankruptcy Judge

cc: Hon. Stephen Raslavich

Copies to:

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